

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

WE THE PATRIOTS USA, INC.,	:	
DIANE BONO,	:	
MICHELLE MELENDEZ,	:	Dkt. No.:1:21-cv-4954
MICHELLE SYNAKOWSKI,	:	
Plaintiffs,	:	
v.	:	
	:	
KATHLEEN HOCHUL - GOVERNOR	:	
OF NEW YORK; HOWARD	:	
ZUCKER, M.D, - COMMISSIONER,	:	
NEW YORK STATE DEPARTMENT	:	
OF HEALTH	:	
Defendants.	:	SEPTEMBER 12, 2021

**NOTICE OF EMERGENCY MOTION AND EMERGENCY MOTION FOR TEMPORARY
RESTRAINING ORDER AND PRELIMINARY INJUNCTION**

Pursuant to Federal Rule of Civil Procedure 65 and Local Rule 7.1, the Plaintiffs respectfully give notice of their emergency motion for a temporary restraining order and a preliminary injunction and move the Court for the following relief:

1. A temporary restraining order staying enforcement of the Defendants' New York State Health Regulation, Title 10, § 2.61 until the parties have an opportunity to be heard on the Plaintiffs' motion for a preliminary injunction;
2. A preliminary injunction staying enforcement of the Defendants' New York State Health Regulation, Title 10, § 2.61 until the parties have an opportunity to fully brief and argue its constitutionality;
3. Any such other and further relief that the Court considers proper.

THE PLAINTIFFS
/s/ Norman A. Pattis /s/
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/s/ Cameron L. Atkinson /s/
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/s/ Earl A. Voss /s/
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CERTIFICATE OF SERVICE

I hereby certify that on the date above a copy of the foregoing was served by certified mail, email, and/or by fax upon Governor Hochul and Dr. Zucker or their proper representatives designated by law.

/s/ Norman A. Pattis /s/
NORMAN A. PATTIS, ESQ.